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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/597,960	02/23/2007	Per Olof Magnus Magnusson	P19069-US1	8466

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EXAMINER	
CHACKO, JOE	

ART UNIT	PAPER NUMBER
2456	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/597,960	MAGNUSSON ET AL.	
	Examiner	Art Unit	
	JOE CHACKO	2456	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 January 2010*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5,7-13,15 and 16* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5,7-13,15 and 16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This office action is in response to the arguments filed on 1/6/2010. Claims 1-5, 7-13, 15 and 16 have been examined and are pending.

Response to Arguments

2. Applicant's arguments filed 1/6/2010 have been fully considered but they are not persuasive.

a. In response to the Applicant's argument that nothing in Sharma shows the currently recited "management part" that allows a first interface or third interface to said decision data memory for modifying the decision data, the Examiner respectfully disagrees with the Applicant's argument.

The Sharma reference discloses the distributed system of network management servers, including the NMS, responsible for collecting real-time information of the network assets being monitored and managed (column 7, lines 29-32) Also, the Sharma reference discloses the NMS server provides the capability to configure, manage and monitor the enterprise network (column 8, lines 10-12) The figure 2 discloses the NMS (214) which shows the interface connecting to the network assets linked to the server, where the NMS configures and manages the network assets in the enterprise network. The above references from the Sharma reference clearly discloses that the network control function entity (NMS server), that has an interface to the network assets, manages decision data (real time information of the network assets) which is stored in the decision data memory (NMS server). Therefore, contrary to the Applicant's argument, the Koskiahde reference in view of the Veerapalli reference in further view of Sharma reference.

b. In response to the Applicant's argument that the Sharma fails to address any technology that deals with performing routing data units over a transmission

network in accordance with a routing protocol using different routing addresses as disclosed and claimed in the present invention, the Examiner respectfully disagrees with the Applicant's argument.

The Koskiahde reference does disclose a system that includes routing binding updates using the care-of-addresses to the mobile node using a mobile link (pg.7,lines 2-5). Therefore the above reference does disclose transmitting data units over a transmission link to different routing addresses. Therefore we see that the Koskiahde reference in view of the Sharma does disclose the limitations of the claim and the Sharma reference should not be considered alone but rather in view of the above references.

c. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "mobile node being allowed to modify the decision data for associating one or more second type routing addresses for a particular first type of routing addresses over the first interface") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

d. In response to the Applicant's argument that the Sharma reference does not disclose a third interface from the management part to the network control function entity wherein the second interface and the third interfaces are two independent and separate interface to the management part, the Examiner respectfully disagrees with the above argument.

The Sharma reference discloses in figure 3 that there is a link which uses an interface for the mobile devices to connect to the central NMS(fig.3, 314) and the physical connection from the local NMS to the central NMS which are independent from one another. This figure from the Sharma reference clearly discloses a network control function entity (central NMS) that consists of a

second interface (link to mobile devices) and a third interface (physical connection from central NMS to local NMS) which are independent. Therefore, contrary to the Applicant's argument, the Sharma reference does disclose the limitations of the claim.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. **Claims 1-5, 7-13, 15 and 16** are rejected under 35 U.S.C. 103(a) as being unpatentable over Koskiahde (WO 03/047183 A1) in view of Veerapalli et al. (U.S. Patent Pub. No. 2003/0153325 A1, hereinafter "Veerapalli") in further view of Sharma et al. (U.S. Patent No. 6, 766,165 B2, hereinafter "Sharma")

As to **claim 1**, Koskiahde discloses a system a data unit processing entity (fig.1, 30, home agent) in a data unit transmission network (fig.1) , said data unit transmission network associated with a plurality of network nodes (fig.1, 10, mobile node, 20, correspondent node) , said plurality of network nodes including routing nodes (fig.1, 30, home agent) and end nodes (fig.1, 10, mobile node, 20, correspondent node), said routing nodes being arranged to route data units over said data unit transmission network in accordance with a routing protocol (pg.6, 22-24), one or more of said end nodes being mobile nodes capable of accessing said data unit transmission network over more than one link (pg.6, lines 27-32; where mobile node can move from its home network to other links) , said network nodes being arranged to distinguish between a first type routing address and a second type routing address in said data units (pg.2,

lines 28-32; where mobile nodes usually have two routing addresses , one which is their home address and the other a temporary address), said first type routing address (pg.2, lines 28; static home addresses by which a mobile node is always identified) serving to identify network nodes and said second type routing address (pg.2 ,lines 23-30; where each mobile node has a temporary address called a care-of-address which identifies its current location) serving to allow routing to mobile nodes,
said data unit processing entity comprising:

a decision data memory storing decision data for associating one or more second type routing addresses(pg.7, lines 8-9, care-of-address) for a particular first type routing addresses (pg.7,lines 2-5; where the binding update is received by the home agent and associates the home address of the mobile node to its care-of-address) :

a decision part for receiving a data unit that is to be forwarded and for setting a second type routing address (pg.7 , lines 8-9; care-of-address) in a said received data unit (pg.7,lines 2-4; where the binding update is received by the home agent described the care-of-address) that is to be forwarded,

Koskiahde does not disclose a system with a decision part set in said received data unit that is to be forwarded and on decision data stored in association with said first type routing address in a decision data memory and a management part for said decision data memory, where said management part provides an interface to said decision data memory for modifying said decision data.

In an analogous art, Veerepalli et al discloses a system wherein an operation of said decision part depending on a first type routing address ([0069]; where IP address is provided to the mobile node based on the registration request from a mobile node) set in said received data unit that is to be forwarded and on said decision data stored in association with said first type routing address in said decision data memory ([0071]; where the home agent stores information describing its mobile nodes so that it can route data to the mobile node),

a management part further comprising:

a first interface to said decision data memory for modifying said decision data ([0058]; where a mobile node may change the information regarding its new care of address using a registration request message),

At the time of the invention, it would have been obvious to a person of ordinary skilled in the art to modify Koskiahde by incorporating a decision part for setting the second type routing address and a management part for said decision data memory as disclosed by Veerepalli. The rationale behind this modification is that all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention.

However, Veerepalli does not disclose a wherein for updating said decision data memory a network control function entity , a second interface to one of said mobile nodes for allowing said mobile node to modify said decision data over said first interface, and a third interface to said network control function entity allowing said network control function entity access to said decision data memory for modifying said decision data and wherein said second interface and said third interface are two independent and separate interfaces to said management part.

Sharma does disclose a system wherein a network control function entity (fig.3, 318, 320, NMS) for updating said decision data memory (column 13, line 62-column 14, line 17; the NMS server can store information in a access control list database and also store network topology in a view database);

a second interface to one of said mobile nodes for allowing said mobile node to modify said decision data over said first interface , (column 10, lines 38-42; the mobile wireless device can communicate with the central NMS directly and network management capability is provided) and

a third interface to said network control function entity (column 10, lines 7-9; the central NMS communicates with the local NMS via a physical connection) allowing said network control function entity access to said decision data memory for modifying said decision data (column 10, lines 55-61; the Local NMS communicates and provides

network management capability over multiple networks and mobile devices) and wherein said second interface and said third interface are two independent and separate interfaces to said management part. (fig.3; the second interface for the mobile devices to the central NMS and the physical connection from the local NMS to the central NMS are independent)

At the time of the invention, it would have been obvious to a person of ordinary skilled in the art to modify Koskiahde- Veerepalli by incorporating a second interface from the mobile node to the central NMS and a third interface from the Local NMS to the central NMS to provide network management capabilities as disclosed by Sharma. The motivation behind this modification is that it allows efficient managing of networks, both ground-based and wireless, through a mobile capable device or wireless capable device management server. (Sharma, column 4, lines 25-33)

As to **claim 2**, Koskiahde- Veerepalli-Sharma does discloses the system wherein said decision data (Veerepalli,[0047]; "mobility bindings") comprises decision rules(Veerepalli, [0047]; where "Care of Address" is used to route the data to the new location of the mobile node) and decision parameters(Veerepalli, [0047]; where "Lifetime" is the time period for the address will be valid), wherein said interface is arranged for modifying said decision rules and decision parameters. (Veerepalli , [0080]; where the home agent can detect and modify the mobility binding of the mobile node)

As to **claim 3**, Koskiahde- Veerepalli-Sharma does disclose the system said decision part is arranged to dynamically select one of said second type routing addresses (Veerepalli, [0075]; where the home agent has mobility bindings which contain one or more records for each device) from said decision data. (Veerepalli, [0076]; where the inactivity timer tracks the last time communication is received from node and then the home agent makes a decision accordingly)

As to **claim 4**, Koskiahde-Veerepalli-Sharma does disclose the system wherein said decision part is arranged to perform said dynamic selection for each data unit to be

forwarded. (Veerepalli ,[0075]; where the home agent has mobility bindings which contain one or more records for each device)

As to **claim 5**, Koskiahde-Veerepalli-Sharma discloses a system wherein said interface is arranged to provide a plurality of control functions (Veerepalli , [0071]; where the home agent stores information describing the mobile nodes to control flow of data) with access to said decision data memory.

As to **claim 7**, Koskiahde-Veerapalli-Sharma does disclose a system wherein one or more of said control functions are network resource management functions. (Veerepalli, [0071]; where home agent manages various kinds of resources to manage the network)

As to **claim 8**, Koskiahde-Veerapalli-Sharma does disclose the system wherein said network control function is arranged to determine parameters related to access links (Veerepalli, [0055]; where IP networks may be the Internet, an intranet, a private IP network) over which said mobile nodes access said data unit transmission network (Veerepalli, [0055]; wireless communication system), and to modify said decision data in dependence on said parameters related to access links. (Veerepalli, [0055] [0056]; the routing information concerning the different kinds of data across different links)

As to **claim 9**, this is a method corresponding to system in claim 1. Therefore it has been analyzed and rejected based upon system in claim 1.

As to **claim 10**, this is a method corresponding to system in claim 2. Therefore it has been analyzed and rejected based upon system in claim 2.

As to **claim 11**, this is a method corresponding to system in claim 3. Therefore it has been analyzed and rejected based upon system in claim 3.

As to **claim 12**, this is a method corresponding to system in claim 4. Therefore it has been analyzed and rejected based upon system in claim 4.

As to **claim 13**, this is a method corresponding to system in claim 5. Therefore it has been analyzed and rejected based upon system in claim 5.

As to **claim 15**, this is a method corresponding to system in claim 7. Therefore it has been analyzed and rejected based upon system in claim 7.

As to **claim 16**, this is a method corresponding to system in claim 8. Therefore it has been analyzed and rejected based upon system in claim 8.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOE CHACKO whose telephone number is (571)270-3318. The examiner can normally be reached on Monday-Friday 8:30am-5pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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